



Appl. No. 10/051,307

JUL 21 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application Serial No. .... 10/051,307  
Filing Date ..... January 22, 2002  
Inventor ..... Ziyu Dai et al.  
Assignee ..... Battelle Memorial Institute  
Group Art Unit ..... 1638  
Examiner ..... Koroma, Barba M.  
Attorney's Docket No. .... 12571-E  
Title: Gene Promoters Isolated from Potato and Use Thereof

**STATEMENT OF THE SUBSTANCE OF MAY 16, 2005 INTERVIEW**

On May 16, 2005, an interview was conducted by telephone concerning the above referenced application. Participants of the interview were Examiners Barba M. Koroma and Ashwin Mehta, and Jennifer J. Taylor. The interview did not include any exhibits or demonstrations. In response to the Office communication dated June 28, 2005, I, Jennifer J. Taylor, do hereby set forth the substance of such interview.

During the interview, and without admission as to propriety of any rejection set forth in the present Action, it was agreed to cancel rejected claims 1, 2, 5, 7, 9, 11 and 12.

Of the claims that remained pending in the application, claims 19 and 21 were discussed during the Examiner interview. It was proposed to amend claim 19 to recite a recombinant gene which comprises a coding region that encodes a product other than the potato pin1 gene product. It was also proposed during the interview to amend claim 21 to recite a transgenic plant cell. It was agreed during the Examiner interview that the amendments of claims 19 and 21 overcome the rejections placing each of claims 19 and 21 in condition for allowance.

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Although the substance of the interview was set forth in applicant's Response filed May 17, 2005, the substance is again set forth in the present Statement to ensure compliance with the interview summary requirements set for in the Examiner's Interview Summary which accompanied the Notice of Allowance dated June 28, 2008.

Respectfully submitted,

Dated:

July 21, 2005

By:

Jennifer J. Taylor  
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